

This record is a partial extract of the original cable. The full text of the original cable is not available.

UNCLAS SECTION 01 OF 02 HARARE 001866

SIPDIS

SENSITIVE

STATE FOR AF FOR A/S KANSTEINER AND PDAS SNYDER; AF/S FOR
DELISI AND RAYNOR; AF/PDPA FOR DALTON, MITCHELL AND SIMS
NSC FOR JENDAYI FRAZER
LONDON FOR GURNEY
PARIS FOR NEARY
NAIROBI FOR PFLAUMER
GUATEMALA CITY FOR DCM WHARTON

E.O. 12958: N/A

TAGS: [PREL](#) [PHUM](#) [KPAO](#) [KMDR](#) [ZI](#)

SUBJECT: GOVERNMENT RAIDS AND CLOSES ONLY INDEPENDENT DAILY
NEWSPAPER

REF: HARARE 1852

SENSITIVE BUT UNCLASSIFIED. NOT FOR INTERNET POSTING.
PROTECT ACCORDINGLY.

1. (SBU) Summary: Friday night, September 12, police units raided the offices and printing press of the largest circulation daily newspaper in Zimbabwe, The Daily News (TDN), forcing production to cease. Thursday's Supreme Court ruling declared the paper's operations "illegal" under the Access to Information and Privacy Protection Act (AIPPA) (reftel). According to TDN eyewitnesses, raiding authorities presented no warrant or court order during the raid. Senior TDN executives advise that the paper will seek resumption of operations by registering as required by the Supreme Court ruling. They will then resume their challenge of AIPPA on constitutional grounds. At this juncture, it is impossible to divine when and if TDN will resume publication. END SUMMARY.
2. (U) Zimbabwe's only independent daily newspaper, "The Daily News," has failed to appear on the streets since September 13 following the closure of its offices and printing press last Friday, September 12, by paramilitary police, a day after the Supreme Court ruled that TDN was operating illegally. The newspaper's Sunday edition, "The Daily News on Sunday," was also prevented from publishing September 14. Since "The Daily News" began publishing in 1999 the "Daily News" has never failed to go to print, even when it suffered a January 2001 firebomb attack that destroyed its printing press. The last time a newspaper was banned in the country was nearly 40 years ago when the white minority Rhodesian government outlawed an African nationalist newspaper, also called the "Daily News."
3. (U) The closure of "The Daily News" and its sister weekly "The Daily News on Sunday" came after the publishers of the two titles, Associated Newspapers of Zimbabwe (ANZ), lost a court battle in which it challenged the constitutionality of the requirement that they register under Section 66 of the controversial AIPPA, signed by Robert Mugabe after last year's disputed presidential election. The AIPPA requires news organizations to register with the Media and Information Commission (MIC). The "Daily News" has been operating without a license in defiance of the law passed last year. Instead of registering, ANZ challenged some sections of the AIPPA in the Supreme Court. In its ruling, the Supreme Court ruled that ANZ should have complied with the law by registering to operate a newspaper before launching its challenge. Under the terms of the AIPPA, the MIC chairman, former journalism lecturer Dr. Tafaona Mahoso, could fine the ANZ, jail its officers, or confiscate its equipment.
4. (SBU) Nkomo was to have appeared in magistrate's court the afternoon of September 15, but according to TDN representatives, the police failed to present charges. Gugulethu Moyo, ANZ's counsel, said that she attempted to register the TDN with the MIC the morning of September 15. The MIC accepted the application, and in response to Moyo's request to be allowed back into TDN offices said that they "would consider it soon." MIC Chairman Mahoso suggested in the press that a quick and automatic re-opening of the closed newspapers may prove elusive. "Arriving at the doorsteps does not mean that they will be registered. It was them who went to court to report their own crime and not us," Dr. Mahoso is quoted in the government-controlled press as saying, adding that "scrutinizing the application was a process that may take some time." Meanwhile, according to Moyo, TDN is preparing an urgent application to have the closure declared illegal.
5. (U) Since it was founded three years ago, the paper has faced constant harassment by authorities. Its former editor-in-chief, Geoffrey Nyarota, and several staff

members have been arrested on various charges under the AIPPA and some staff have been beaten by pro-government supporters. Dozens of TDN reporters have been denied accreditation with the MIC.

16. (U) The Media Institute of Southern Africa-Zimbabwe (MISA-Zimbabwe) has condemned the closure of "The Daily News" and "The Daily News on Sunday", describing it as an assault on the constitutional right of freedom of expression and a denial of media diversity in Zimbabwe. "The sudden closure of 'The Daily News' robs the country of one of the few alternative voices in an increasingly restricted space where Zimbabweans can freely express themselves," MISA-Zimbabwe said in statement released in Harare on September 13.
17. (SBU) COMMENT: The closure of TDN could be a simple case of the government displaying its power before allowing TDZ to resume publication after registering with the MIC. Or these actions could be part of Information Minister Jonathan Moyo's personal vendetta against the lone daily independent newspaper (the ANZ executives' privately expressed view). In either case, registration could take a long time, and the paper would be prevented from publishing in the meantime. Discussions with many of the day-to-day staff have revealed that they have taken on gallows humor, referring to themselves as ex-editors of former The Daily News. They feel that the government has decided to stop tolerating an independent critical voice and will prosecute the matter to the full extent of the law. The case suggests that, notwithstanding its ongoing efforts to present a more moderate face to domestic opposition and the international community, the government will continue to employ a wide array of tools to punish and to stifle its critics. END COMMENT

SULLIVAN